

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VICTORIA BRANNON,

Plaintiff(s),

v.

CARDINAL HEALTH et al.,

Defendant(s).

CASE NO. 2:22-cv-00395-TL

ORDER OF DISMISSAL

This matter is before the Court on its own motion. Plaintiff Victoria Brannon initiated this action against her former employer Defendant Cardinal Health without representation of counsel. Dkt. Nos. 1, 3. Ms. Brannon claims she was improperly terminated for reporting that she was sexually assaulted by a co-worker. *See* Dkt. No. 4. Ms. Brannon eventually sought the Court's assistance to serve process on the named defendants as required to proceed with her lawsuit. *See* Dkt. Nos. 5-11. Using information provided by Ms. Brannon, the Court attempted to secure waivers of service from the Defendants per the Federal Rules of Civil Procedure, but the Defendants never responded. The Court recognized that Ms. Brannon, who is proceeding *pro se*,

1 may not be familiar enough with the rules of procedure to locate the proper service addresses for
2 the Defendants. Because the Court had no way of ensuring that the waiver documents were
3 delivered to the appropriate recipients, the Court could not fault Defendants for failing to return
4 the waivers as ordered. The Court further determined that Ms. Brannon could benefit from the
5 appointment of pro bono counsel who could assist her in the litigation going forward.

6 Consequently, the Court ordered Ms. Brannon to either apply for the appointment of pro
7 bono counsel or provide sufficient information to ensure appropriate service of process (thereby
8 demonstrating capacity to affectively proceed *pro se*) by no later than November 21, 2022. Dkt.
9 No. 12. A month has passed since the Court's deadline. Ms. Brannon never responded to the
10 Court's order, and there has been no activity on this case for more than six weeks. The Court is
11 empowered to dismiss an action "[i]f the plaintiff fails to prosecute or to comply with the[
12 federal procedural] rules or a court order." Fed. R. Civ. P. 41(b). Here, Ms. Brannon failed to
13 comply with a Court order, has failed to comply with several federal rules of procedure, and has
14 demonstrated no desire to prosecute this case.

15 Consequently, the Court ORDERS this case involuntarily DISMISSED WITHOUT PREJUDICE
16 per Fed. R. Civ. P. 41(b).

17 Dated this 19th day of December 2022.

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20 _____
21 Tana Lin
22 United States District Judge
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